

91st Illinois General Assembly Senate Transcript

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

101st Legislative Day

April 13, 2000

PRESIDENT PHILIP:

The regular Session of the 91st General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? Our prayer today will be given by Pastor John Hamilton, Laurel United Methodist Church, Springfield, Illinois. Pastor Hamilton.

PASTOR JOHN HAMILTON:

(Prayer by Pastor John Hamilton)

PRESIDENT PHILIP:

Please remain standing for the Pledge of Allegiance. Senator Radogno.

SENATOR RADOGNO:

(Pledge of Allegiance, led by Senator Radogno)

PRESIDENT PHILIP:

Reading of the Journal.

SECRETARY HARRY:

Senate Journal of Tuesday, April 11th, 2000.

PRESIDENT PHILIP:

Senator Myers.

SENATOR MYERS:

Mr. President, I move that the Journal just read by the Secretary be approved, unless some Senator has additions or corrections to offer.

PRESIDENT PHILIP:

Senator Myers moves to approve the Journal just read. There being no objection, so ordered. Senator Myers.

SENATOR MYERS:

Mr. President, I move that reading and approval of the Journal of Wednesday, April 12th, in the year 2000, be postponed, pending arrival of the printed Journal.

PRESIDENT PHILIP:

Senator Myers moves to postpone the reading and the approval

1

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

101st Legislative Day

April 13, 2000

of the Journal, pending the arrival of the printed transcript. There being no objections, so ordered. Mr. Squires, with the Associated Press, has requested taking photographs of the Session. Is leave granted? Leave is granted.

PRESIDING OFFICER: (SENATOR KARPIEL)

Messages.

SECRETARY HARRY:

Message from the President, dated April 13th, 2000.

Dear Mr. Secretary - Attached hereto please find the fall Veto Session schedule for the year 2000. Scheduled Session days are November 9th, 14th, 15th, 16th, 28th, 29th and 30th.

Signed by President Philip.

PRESIDING OFFICER: (SENATOR KARPIEL)

Resolutions.

SECRETARY HARRY:

Senate Resolution 349, offered by Senator Tom Walsh.

It's a death resolution, Madam President.

PRESIDING OFFICER: (SENATOR KARPIEL)

Consent Calendar. The Chair will yield to Senator Watson.

SENATOR WATSON:

Yes, thank you very much. We'd like to have the softball team come up here for a moment, if they would. We have a presentation we'd like to make and we'd like to invite all of -- all of you that played softball. Obviously, we did not do as well as -- as we have in the past and we're disappointed in that, but every now and then the House must prevail, I guess. One good thing that happened as a result of the softball game, and -- and it's something that happens every year, is we raise money for a local charity. And we -- each one of you, of course, gave ten dollars to -- to this particular cause and we appreciate that very much. We do -- we've raised a lot of money over the years for local charities and that's one of the, of course, reasons we play the

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

101st Legislative Day

April 13, 2000

game. And we've benefited a lot of young people and a lot of services here in Springfield area. So I think it's -- important event that we've -- started in 1945, and then in -- in 1992, the Regional Growth and Commerce Association out of St. Louis took the event over and have sponsored it since then. And we have John Valenti here, who is with the -- the Regional Growth and Commerce Association out of St. Louis. John, would you acknowledge? We'll give him a hand. They -- they pay for everything that -- that goes on that night and obviously that helps us then with more money being made available to -- to a local charity. So I have Senator Larry Bomke here and a lot of loud and noisy former baseball players behind me -- softball players that won't shut up. Let's just hold it down. I can understand that. John Cullerton -- oh, John is here, and John is -- John and I have been cocaptains. And, John, you've got a comment or two, and we appreciate obviously his work.

SENATOR CULLERTON:

Well, I'll tell you, I just realized that when I was in the House, we won the softball game every year. When I came over to the Senate, we won the softball game every year. So I was twenty and 0 until this year. I've lost my first game, by one run. But I'll tell you, one of the reasons why we didn't win, I think, is because we have a philosophy that everybody plays. And we got everybody in and I think that's the important thing. We had a

great time. We're raising some money, and it's a good cause.
Thank you.

SENATOR WATSON:

There was one important reason why we may have not won and that's Senator Adeline Geo-Karis was not present. And we need -- she's our secret weapon, and we -- she looks good. We're glad to have you back, Geo, and -- and look forward to having you there next year. So anyway, with that, let's bring up Senator Larry

3

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

101st Legislative Day

April 13, 2000

Bomke.

SENATOR BOMKE:

Thank you, Frank. Well, it's always a pleasure for me to be able to give money to a local charity. For those of you who wonder why we don't do this the day after the game, if we did, most of these guys wouldn't be able to make it up the steps. So, this year we're giving money to the American Cancer Society. It's my pleasure to introduce to you the local Chairman, Dick Robinson. Dick, would you like to say a few words?

DICK ROBINSON:

(Remarks by Dick Robinson)

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR GEO-KARIS:

Madam President and Ladies and Gentlemen of the Senate, and all our guests here, reposing on my desk is a -- is a copy of the Iwo Jima Monument. Iwo Jima was very important in World War II, because it was used as an air base by our troops in order to hit Japan. And we have with us today, Sandra Galgan, the daughter of Ray and Irene Zukley, and her husband Rich Galgan, the son of Avis and Michael Galgan. And Sandra Galgan, who's the principal of the Zion-Benton High School, which is having a special Iwo Jima Day on May 8 at 11 o'clock in the -- at 1 o'clock in -- in the afternoon - and everyone's welcome to attend it - they're having the original sculptor, Felix de Weldon, who did this monument and the one that's in Washington, do a three-and-a-half-feet -- size monument for the Zion-Benton High School. All the funds were donated. Over a hundred thousand dollars was donated to make this

4

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

101st Legislative Day

April 13, 2000

a possibility. Sandra Galgan's father, Ray Zukley, was on Iwo Jima, who saw his buddies killed. He can't even talk about the experience now. He never has been able to do so. But he did his duty and he was a brave young man who went in the heart of his youth to serve our country. These are the kind of people we ought to honor and honor always. And, young people in the audience, remember our freedoms came at great prices. We lost a lot of lives and a lot of limbs. So always remember to be loyal and patriotic to the United States of America, because it is the best country in the world. So we're delighted to have the principal of Zion-Benton High School, Sandra Galgan, and Rich here today. Let us welcome them here.

PRESIDING OFFICER: (SENATOR KARPIEL)

Welcome to Springfield. Senator Parker, for what purpose do you rise?

SENATOR PARKER:

For a point of personal privilege.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR PARKER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I would like to introduce -- with me today is Katie Doland, from Northbrook, and her parents are up in the President's Gallery, Pat and Kathy Doland. Please give them a warm welcome.

PRESIDING OFFICER: (SENATOR KARPIEL)

Welcome to the Senate. Page 16 on your Calendar is Secretary's Desk, Concurrence, Senate Bills. And on that order, we have Senate Bill 23. Senator Rauschenberger. Mr. {sic} Secretary, will you read the motion?

ACTING SECRETARY HAWKER:

I move to nonconcur with the House in the adoption of their Amendments 1, 2 and 4 to Senate Bill 23.

5

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

101st Legislative Day

April 13, 2000

Motion filed by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I'd appreciate the support of the Body in the nonconcurrence.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Rauschenberger moves to nonconcur in House Amendments 1, 2 and 4 to Senate Bill 23. Those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Members should know that we are now going to the Order of Concurrence, which is final action. And on that order is Senate Bill 452. Senator Burzynski. Mr. -- Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 452.

Motion filed by Senator Burzynski.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This is an amendment that's needed just to track through the legislative purposes and I'd ask for a favorable response.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Peterson.

SENATOR PETERSON:

Thank you, Madam President. I couldn't hear the explanation of the Senator. I think we need a little order in this Chamber so we can hear - this is final passage - so we can know what's going on. Thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

...heard the Senator. We would like to be able to hear the

6

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

101st Legislative Day

April 13, 2000

sponsor. This is final action. Please keep your comments very quiet and your conferences off the Floor. Senator Burzynski, would you like to restate that?

SENATOR BURZYNSKI:

Again, this is primarily a technical amendment for cleanup

purposes. House Amendment No. 1 is, Senator.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President. Just a -- just a point. I just want to point out that we don't have that many Members on our side. So when you're directing your comments, would you please direct them to the other side of the aisle?

PRESIDING OFFICER: (SENATOR KARPIEL)

Any further discussion? If not, this is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 452. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On this -- on this question, there are 59 voting Aye, none voting Nay, none voting Present. And Senate Bill -- oops. Madam Secretary, are there any further motions?

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 6 and 8 to Senate Bill 452.

Motion filed by Senator Burzynski.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. House Amendment No. 6 clarifies what an association, firm and corporation are for purposes of -- enforcement by DPR. And House Amendment No. 8 creates a licensing

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

101st Legislative Day

April 13, 2000

window.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. I just want to rise in support of this legislation. The few problems that were there were worked out with 6 and 8. And I would let the Members on this side of the aisle know that we're -- we're okay with the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? If not, this is final action. The question is, shall the Senate concur in House Amendments 6 and 8 to Senate Bill 452. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On this question, there are 58 voting Aye, none voting Nay, none voting Present. And the Senate does concur in House Amendments 6 and 8 to Senate Bill 452. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 730. Senator Hawkinson. Read the motion, Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their

Amendment No. 2 to Senate Bill 730.

Motion filed by Senator Hawkinson.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. The House Amendment No. 2 to Senate Bill 730 becomes the bill. The amendment and -- and now the bill provides that juveniles who are accused of certain very serious crimes, including murder, who are not yet thirteen years of age, must be represented by counsel during custodial interrogation. These are minors who would, if charged, remain in

8

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

101st Legislative Day

April 13, 2000

the juvenile court. It does not include minors thirteen years of age and older. The amendment is opposed by the State's attorneys and, in particular, the Cook County State's Attorney. I'd be happy to try and answer any questions. Otherwise, I would move to concur in House Amendment No. 2 to Senate Bill 730.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any -- excuse me. Any discussion? If not, this is final action. The question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 730. Those in favor, vote Aye.

Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On this question, there are 59 voting Aye, none voting Nay, none voting Present. And the Senate does concur in House Amendment No. 2 to Senate Bill 730. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 1268. Senator Hawkinson. Read the -- read the motion, Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1268.

Motion filed by Senator Hawkinson.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. Senate Bill 1268, as it left the Senate, created a Class 4 felony for criminal trespass to a residence when someone has entered without authority knowing that the residence is occupied or remains in the residence after he learns that the resident is home. This is really a technical amendment that we suggested, at the time of final passage in the Senate, to change the word "until" to the word "after", which makes it clear that the felony kicks in if someone is in the home

SENATE TRANSCRIPT

101st Legislative Day

April 13, 2000

and then realizes that someone is present and fails to leave. Be happy to try and answer any questions. Otherwise, I would move that the Senate concur in House Amendment No. 1 to Senate Bill 1268.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, this is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1268. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On this question, there are 59 voting Aye, none voting Nay, none voting Present. And the Senate does concur in House Amendment No. 1 to Senate Bill 1268. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 1304. Senator Lauzen. Read the motion, Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1304.

Motion filed by Senator Lauzen.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Madam President. Senate Bill -- Senate Bill 1304 left the Senate and it provides that a member of the reserves of the armed forces of the United States who has an ownership interest in property and is on active duty on the date of any

installment of property taxes shall be deemed delinquent -- shall not be deemed delinquent and no interest and penalty shall accrue until thirty days after the member returns to civilian status. The House amendment expanded the bill to include the National Guard, but restricts its applicability to those reserve members on active duty outside the continental United States.

10

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

101st Legislative Day

April 13, 2000

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator -- any discussion? If not, this is final action. And the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1304. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On this question, there are 59 voting Aye, none voting Nay, none voting Present. And the Senate does concur in House Amendment No. 1 to Senate Bill 1304. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 1377. Senator O'Malley. Read the motion, Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their

Amendment No. 1 to Senate Bill 1377.

Motion by -- filed by Senator O'Malley.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

Madam President, Ladies and Gentlemen of the Senate, Amendment No. 1 is related to the underlying legislation, which amends the Fire Protection District Act. What the amendment does is make changes to a law passed last year that would require when territory is disconnected from a fire protection district and annexed to a municipality, the municipality shall pay a portion of real estate taxes to the fire district for five years after disconnection. The change, as provided for in Amendment No. 1, simply states that the payment shall be made only if the fire protection district did not file a petition against the disconnection. I don't know of any opposition to this. I'd be happy to answer any questions there may be, but would seek your support for my concurrence motion with respect to House Amendment

11

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

101st Legislative Day

April 13, 2000

No. 1.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any discussion? If not, this is final action. And the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1377. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On this question, there are 59 voting Aye, none voting Nay, none voting Present. And the Senate does concur in House Amendment No. 1 to Senate Bill 1377. And the bill, having received the required constitutional majority, is declared passed. We have a request from WCIA to videotape the proceedings. Is there leave? Leave is granted. On the top of page 17 is Senate Bill 1425. Senator Dudycz. Read the motion, Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1, 2 and 3 to Senate Bill 1425.

Motion filed by Senator Dudycz.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Madam President. House -- or Senate Bill 1425 amends the Chicago Park District Act and the Park District Aquarium and Museum Act requiring that, unlike right now one day per week, all museums that charge fees would be having at least fifty-two days each year free to the public. House Amendment No. 1 changes the requirement that all museums that are -- that are free fifty-two days each year would require that at least six of those days be made during the period between June and August and that this change would be effective for a two-year period

beginning on the effective date of this Act. House Amendment No.
2 is -- was submitted at the request of -- of -- of Senator --

12

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

101st Legislative Day

April 13, 2000

Senator Shaw - at the request of Senator Shaw - adding further language to the bill identical to Senate Bill 1728, which was held in Senate Rules Committee. It amends the Museum District Act to authorize territory in Cook County to incorporate as a museum district. Current law provides for this authority in the counties under two million inhabitants. Museum districts are created by petition and referendum of the voters and such districts have the ability to levy a tax and condemn lands. Districts are governed by five-member boards appointed by the presiding officer of the county board. And Senator Shaw would be happy to -- to respond to any questions to House Amendment No. 2. House Amendment No. 3, at the request of Senator Bob Madigan, adds further language identical to House Bill 4349, which passed the House - it was held in Senate Rules - amending the Park District Code to provide a new way for a very small downstate park district to dispose of real estate owned by the park district. If a park district has a population of three thousand or less, allows the transfer of real estate to a private entity if the real estate is greater than

seventy percent of the park district's total property and the current use of the land will be substantially altered by the -- by the private entity. And this, again, was submitted at the request of Representative Slone and Senator Bob Madigan. And I would move that the Senate concur to House Amendments 1, 2 and 3 to Senate Bill 1425.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Hendon.

SENATOR HENDON:

...Madam President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he will.

SENATOR HENDON:

Senator Dudycz, on Amendment No. 2, does that -- would that

13

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

101st Legislative Day

April 13, 2000

now get us around public input by referendum or having the matter put before the voters? 'Cause this is creating a -- a taxing district, is that correct?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dudycz.

SENATOR DUDYCZ:

Madam President, I would defer to Senator Shaw on the contents of House Amendment No. 2.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Hendon.

SENATOR HENDON:

Well, since Senator Shaw is not on the Floor, I -- if you can -- can someone explain -- I just want to know if the voters still have the right to vote on whether -- before this is created, or will this amendment allow them to get around the voters? I think the voters should have a say in this, and if -- if it cannot be explained at this time -- well, Senator Shaw is here now. Perhaps he could enlighten us. Just want to make sure that the voters have a say in this. Other than that, I have no problem with it, as long as the voters still have a say.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Shaw.

SENATOR SHAW:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Amendment No. 3, I think that's what we're dealing with here -- or, Amendment No. 2, and what was done, in -- 1989 when the library district was -- I mean, the -- the museum district was first created, the -- this Act was first passed, the -- all of the mechanism was set in place at that time where that you would have a front-door referendum. All this Amendment 2 does is lift the prohibition from Cook County -- or, the suburbs of Cook County, where that you -- that would prohibit you from having a museum.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

101st Legislative Day

April 13, 2000

This amendment makes it possible that you can have a museum in the suburb of Cook County. And that's all it does, but -- in terms of the referendum part, that's in current legislation, that you have to have a front-door referendum and set up the mechanism in terms of the library {sic} district. This amendment only extends the museum district outside of Chicago into Cook County. That's all it does.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any further discussion? If not, this is final action. The question is, shall the Senate concur in House Amendments No. 1, 2 and 3 to Senate Bill 1425. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On this question, there are 58 voting Aye, none voting Nay, none voting Present. And the Senate does concur in House Amendments 1, 2 and 3 to Senate Bill 1425. And the bill, having received the required constitutional majority, is declared passed. Senator Weaver, for what purpose do you rise?

SENATOR WEAVER:

Point -- I have a group in the gallery from the Urbana Adult Education, faculty and students. Would the Senate please welcome 'em to Springfield?

PRESIDING OFFICER: (SENATOR KARPIEL)

Welcome to Springfield. Senator Donahue, for what purpose do you rise?

SENATOR DONAHUE:

Thank you, Madam President. I, too, rise on a point of personal privilege.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR DONAHUE:

I have a group from Northwestern, in McDonough County, here

15

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

101st Legislative Day

April 13, 2000

visiting today, and I'd like them to be welcomed by the Illinois Senate.

PRESIDING OFFICER: (SENATOR KARPIEL)

Welcome to Springfield. Senate Bill -- Senate Bill 1513. Senator Geo-Karis. Read the motion, Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1513.

Motion filed by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President and Ladies and Gentlemen of the Senate, I intend to do just that. I move to concur with the bill, as amended by the -- by the House.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR KARPIEL)

She indicates she'll yield.

SENATOR WELCH:

Senator, I see there are twelve No votes on this bill. Is there a change in competitive bidding requirements on this bill that led to the twelve No votes?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Twelve No votes here? In the House, or do you mean here?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Welch.

SENATOR WELCH:

The vote in the House, according to my Calendar, is 105 to 12. I was wondering if those twelve were due to some change in the competitive bidding requirements that you're altering?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, I think we sent it over with a two-hundred-and-fifty-thousand cap, and the House, in its wisdom, reduced it to seventy-five thousand, if I recall correctly and -- for noncompetitive bidding in case of emergencies. And that's -- I'm willing to accept that, and that's what the -- their amendment does. It reduced it to seventy-five thousand.

PRESIDING OFFICER: (SENATOR KARPIEL)

It's -- it -- it's getting -- excuse me, Senator Geo-Karis. It's getting very loud in here again. Could we please quiet down so that we can hear the -- hear the Members and know what we're voting on? This is final action.

SENATOR GEO-KARIS:

The North Shore Sanitary District is very important, and if there is an emergency that's critical, we need some funds real fast. And it's been reduced to seventy-five thousand, and I certainly move to concur with the amendment.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? If not, this is final action. And the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1513. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted

who wish? Have all voted who wish? Take the record, Madam Secretary. On this question, there are 58 voting Aye, none voting Nay, none voting Present. And the Senate does concur in House Amendment No. 1 to Senate Bill 1513. And the bill, having received the required constitutional majority, is declared passed.

17

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

101st Legislative Day

April 13, 2000

House {sic} Bill 1658. Senator Robert Madigan. Read the motion, Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1658.

Motion filed by Senator Robert Madigan.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Madigan.

SENATOR R. MADIGAN:

Thank you, Madam President, Members of the Senate. House Amendment No. 1 to Senate Bill 1658 adds language codifying current contractual practices concerning structured settlements on workmen's comp claims. That amendment also contained a retroactivity clause which is removed by House Amendment No. 2. So I would move for -- or, ask for concurrence on House Amendments

No. 1 and 2 to Senate Bill 1658 and would be happy to ask -- answer any questions.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, this is final action. The question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 1658. The -- the -- those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On this question, there are 59 voting Aye, none voting Nay, none voting Present. And the Senate does concur in House Amendments No. 1 and 2 to Senate Bill 1658. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 1690. Senator Cullerton. Read the motion, Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1690.

18

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

101st Legislative Day

April 13, 2000

Motion filed by Senator Cullerton.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Cullerton.

SENATOR CULLERTON:

Thank you -- thank you, Madam President, Members of the Assembly. The bill -- original bill dealt with the Principal and Income Act, and it covered three areas where it -- we would designate, basically, whether something was to be paid out of principal or paid out of income. There was another Section, Section 6, that the House amendment eliminated. It was -- as a result of some changes due to some IRS regulations, it was not necessary to have it, and the change is basically made to ensure that a trust is not to be considered part of the decedent's estate. Be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, this is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1690. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On this question, there are 58 voting Aye, none voting Nay, none voting Present. And the Senate does concur in House Amendment No. 1 to Senate Bill 1690. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 1881. Senator Mahar. Read the motion, Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1881.

Motion filed by Senator Mahar.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Mahar.

SENATOR MAHAR:

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

101st Legislative Day

April 13, 2000

Thank you, Madam President. The original language of the bill remains the same. The House added two initiatives. One -- House Amendment No. 1 - the provisions of the Administrative Law -- Review Law shall apply to and govern all proceedings for judicial review of the final administrative decisions of the Board of Commissioners of the Water Reclamation District in the enforcement of any ordinance, rule or regulation. House Amendment 2 allows for the annexation of a parcel of land in Senator Wendell Jones' district. I know of no opposition and would move for concurrence of the two House amendments.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Shadid.

SENATOR SHADID:

Point of personal privilege, Madam Chairman -- Madam President.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR SHADID:

It's okay if I...

PRESIDING OFFICER: (SENATOR KARPIEL)

State -- state your point.

SENATOR SHADID:

Senator Cullerton, I believe I have got permission to talk. Thank you. As a point of personal privilege, sitting with Senator Hawkinson is his mother and dad, from Galesburg, John and Marilyn Hawkinson. How about us giving them a big hand?

PRESIDING OFFICER: (SENATOR KARPIEL)

Welcome to Springfield. Senator Syverson. Further discussion? If not, this is final action. The question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 1881. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted

20

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

101st Legislative Day

April 13, 2000

who wish? Take the record, Madam Secretary. On this question, there are 59 voting Aye, none voting Nay, none voting Present. The Senate does concur in House Amendments No. 1 and 2 to Senate Bill 1881. And the bill, having received the required constitutional majority, is declared passed. Senator Petka, for what reason do you rise?

SENATOR PETKA:

Thank you, Madam Clerk {sic}. I wonder -- when we voted on

the last bill, we had Senate Bill 1881. Did we ever vote on Senate Bill 1690?

PRESIDING OFFICER: (SENATOR KARPIEL)

Yes, we did. We'll just stand at ease for just a few seconds. Chair yields to Senator Dillard for a presentation.

SENATOR DILLARD:

Thank you very much. It's my distinct privilege, during a lull in the action here, to make a presentation to one of our own colleagues, Senator Kimberly Lightford. About six months ago, I nominated Kim, at my alma mater, Western Illinois University, to receive the Distinguished Alumni Award. And because we were in Session on the Special Session for Safe Neighborhoods in December, Kimberly and her family could not go over to the commencement exercises to receive the Distinguished Alumni Award from WIU. But on behalf of Senator Donahue, who represents Western Illinois University and my alma mater and your alma mater, Kimberly, WIU, I'm going to give you this plaque to recognize you as the Distinguished Alumni of Western Illinois University. Kim is our youngest State Senator. I think, Senator Walsh, you don't have that title anymore. Kim is our youngest colleague here in the State Senate and very deserving of WIU's alumni recognition. Congratulations, Kim.

SENATOR LIGHTFORD:

Thank you very much. I'd first like to thank Senator Dillard

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

101st Legislative Day

April 13, 2000

for nominating me and thank him for recognizing that I was also a Leatherneck, having a great time in college in Macomb. That's the truth of the matter. However, I am pleased to receive this. We were here during Special Session and I was unable to attend in Macomb, but I do accept this with honor and I remain proud to be a Leatherneck. Thank you very much.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Clayborne, for which purpose do you rise?

SENATOR CLAYBORNE:

Madam President, I rise for a point of personal privilege.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR CLAYBORNE:

Behind me in the Democratic Gallery I have Whiteside School from -- Whiteside Middle School from my district. I'd like for them to rise and be recognized by the Senate.

PRESIDING OFFICER: (SENATOR KARPIEL)

Welcome to the Senate. Senator Jones, for what purpose do you rise?

SENATOR W. JONES:

Madam President, a point of personal privilege.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR W. JONES:

Ladies and Gentlemen of the Senate, I'd like to introduce State Representative Suzie Bassi from the great City of Palatine, Illinois.

PRESIDING OFFICER: (SENATOR KARPIEL)

Welcome to the Illinois Senate. On the top of page 18, on Secretary's Desk, Non-concurrence of House Bills, is House Bill 730. Senator Geo-Karis. Read the motion, Madam Secretary.

ACTING SECRETARY HAWKER:

22

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

101st Legislative Day

April 13, 2000

I move to refuse to recede from Senate Amendments 1 and 2 to House Bill 730, and request that a conference committee be appointed.

Motion filed by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I refuse to accede to the House and I ask for a conference report.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, Senator Geo-Karis moves that the Senate refuse to recede from the adoption of Senate Amendments 1

and 2 to House Bill 730 and that a conference committee be appointed. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Philip.

SENATOR PHILIP:

Point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR PHILIP:

Purpose of an announcement. There'll be a Republican Caucus in Room 212 the minute we stand at ease. I would suggest we come back at 2 o'clock in the afternoon. Everybody can have a long lunch.

PRESIDING OFFICER: (SENATOR KARPIEL)

Did you all hear the announcement? We will be standing at ease till 2 o'clock. And there is a Republican Caucus immediately in Room 212. Not Senator Philip's Office. Room 212. Senate stands in recess till the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR MAITLAND)

The Senate will reconvene. Messages.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 61.

Adopted by the House, April 13th, 2000.

A Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to concur with the Senate, in the adoption of their amendments to a bill of the following title, to wit:

House Bill 390, with Senate Amendments 1 and 2.

Nonconcurrent in by the House, April 13th, 2000.

A Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 1007, with House Amendment No. 1.

We have like Messages on Senate Bill 1231, with House Amendment 1; Senate Bill 1298, with House Amendment 2; Senate Bill 1627, with House Amendments 1 and 2; and House {sic} Bill 1693, with House Amendments 2 and 4.

All passed the House, as amended, April 13th, 2000.

PRESIDING OFFICER: (SENATOR MAITLAND)

Committee Reports.

24

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

101st Legislative Day

April 13, 2000

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Referred to the Committee on Education - the Motion to Concur with House Amendment 4 to Senate Bill 1444; to the Committee on Local Government - the Motion to Concur with House Amendments 1 and 2 to Senate Bill 1550; to the Committee on Revenue - Motion to Concur with House Amendments 2 and 4 to Senate Bill 1693; to the Committee on Transportation - Motion to Concur with House Amendment 1 {sic} (2) to Senate Bill 1298; and Be Approved for Consideration - the Motion to Concur with House Amendment 1 to Senate Bill 1231, and Conference Committee Report 1 to House Bill 1812.

PRESIDING OFFICER: (SENATOR MAITLAND)

Message from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 51.

Adopted by the House, April 13th, 2000.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cronin, for what purpose do you arise, sir?

SENATOR CRONIN:

For purposes of an announcement.

PRESIDING OFFICER: (SENATOR MAITLAND)

Please state your announcement.

SENATOR CRONIN:

The Senate Education Committee shall meet at 5 p.m. in Room 212 to consider one motion. 5 p.m., Room 212, for the Education

25

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

101st Legislative Day

April 13, 2000

Committee.

PRESIDING OFFICER: (SENATOR MAITLAND)

Thank -- thank you, Senator Cronin. Senator Parker, for what purpose do you arise?

SENATOR PARKER:

...purposes of an announcement.

PRESIDING OFFICER: (SENATOR MAITLAND)

Please state your point.

SENATOR PARKER:

The Senate Transportation Committee will meet in Room 400, at 5 o'clock, just for one amendment. And please pay attention to the room - 400 for the Senate Transportation Committee at 5 o'clock.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Peterson, for what purpose do you arise, sir?

SENATOR PETERSON:

Thank you, Mr. President. For the purposes of announcement.

PRESIDING OFFICER: (SENATOR MAITLAND)

Please state your point.

SENATOR PETERSON:

The Revenue Committee will meet at 5:30 in Room 400. 5:30, in Room 400. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard, for what purpose do you arise, sir?

SENATOR DILLARD:

For purposes of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

Please state your announcement.

SENATOR DILLARD:

The Senate Local Government Committee will meet at 5:15 in Room 400. There's just one matter. Local Government, Room 400, 5:15.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

101st Legislative Day

April 13, 2000

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Mitchell, for what purpose do you arise, sir?

SENATOR MITCHELL:

Just a personal privilege, Mr. Chairman.

PRESIDING OFFICER: (SENATOR MAITLAND)

Please state your point.

SENATOR MITCHELL:

I am glad to welcome to the Senate Chambers the Honorable Mayor of Benton, Illinois, Pat Bauer, and her husband, Brian. I'd like to welcome them to the Senate.

PRESIDING OFFICER: (SENATOR MAITLAND)

Mayor, welcome to Springfield. Welcome to Springfield. Ladies and Gentlemen, if I could have your attention, please. You've just heard the announcement of the four committees that are going to be meeting. We would -- would guess that the committees would be over by quarter to six or thereabouts and probably we'll come back -- we'll come back on the Floor shortly thereafter, probably around 6 o'clock. And there will be -- the -- the committee reports will be read in and, in all probability, we will be taking some votes on some issues that are still on the Calendar. So we'd advise all the Members to be here around 6 o'clock. All right.

The Senate will stand in recess at the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DUDYCZ)

The Senate will reconvene. Committee Reports.

SECRETARY HARRY:

Mr. President, there's a correction to the Committee Report that was read in just prior to the recess. On Senate Bill 1298 in the -- referral to the Transportation Committee, it was a Motion

27

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

101st Legislative Day

April 13, 2000

to Concur with House Amendment 2, not 1 - House Amendment 2, rather than 1 - to Senate Bill 1298.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senate will stand at ease till the call of the Chair.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DONAHUE)

Committee Reports.

SECRETARY HARRY:

Senator Parker, Chair of the Committee on Transportation, reports Senate Bill 1298 - the Motion to Concur with House Amendment 2 Be Approved for Consideration.

Senator Bomke, Vice-Chair of the Committee on Local Government, reports Senate Bill 1550 - the Motion to Concur with House Amendments 1 and 2 Be Approved for Consideration.

And Senator Peterson, Chair of the Committee on Revenue, reports Senate Bill 1693 - the Motion to Concur with House Amendments 2 and 4 Be Approved for Consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

WAND has asked leave of the Body to film the proceedings. Is leave granted? Leave is granted. Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 63.

We have a like Message on House Joint Resolution 66. They were both adopted by the House, April 13th, 2000. They're

SENATE TRANSCRIPT

101st Legislative Day

April 13, 2000

both substantive.

PRESIDING OFFICER: (SENATOR DONAHUE)

If the Members can hear my voice and you're in your offices, please come to the Floor. We will be doing some action on 3rd Reading. Resolution.

SECRETARY HARRY:

Senate Resolution 350, offered by Senator Sullivan and all Members.

It's a death resolution, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Consent Calendar. I would again ask the Members in your offices, the sound of my voice, to please come to the Floor. We are going to do 3rd action -- or, 3rd Reading action. In the middle of page 6 is House Bill 1583. Senator Maitland. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 1583.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Madam President and Members of the Senate. House Bill 1583, as amended, is the Pension Laws Commission bill, and it contains a number of administrative and technical changes to several of the pension funds that we in State

government operate. I can assure you that -- that it's been agreed to by everyone. Of particular importance -- of particular importance here, and I want to call attention to it, is the -- the issue of the -- the -- allowing widows to marry and receive their benefits before they reach the age of fifty-five. This is something that most of you have received letters on for a number

29

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

101st Legislative Day

April 13, 2000

of years. And we have approved this and we -- we recommend that to you tonight. I'm not going to go over all the technical changes that are in the bill. I would be happy to respond to any questions on Amendment No. 1. Amendment No. 2 is an amendment that amends the State University Article of the Pension Code to provide that employee and employer early retirement option contributions will be included in the calculation of the Money Purchase Annuity for certain SURS members who have brought administrative procedures before -- brought forth administrative procedures before February 16th, 1995. This is an issue that is a result of a lawsuit that was filed and the circuit court ruled in favor of SURS. The individual appealed it to the appellate court. The appellate court disagreed with the lower court and remanded it back to the lower court and asked them to come up with a

calculation. And this, we believe, is -- is proper and just, and we believe pertains only to one individual, and I would commend it to you as well. I would seek, Madam President, support of House Bill 1583.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there -- Senator Jones.

SENATOR E. JONES:

Yes, thank you, Madam President. I rise in support of the conference -- no, the 3rd Reading of House Bill 1583. And as the -- as the sponsor pointed out, it's merely a lot of technical changes and -- and some administrative changes recommended by the Pension Laws Commission. There's nothing real major in here that you have some concerns with. So it's a bill that we can support. I know all of us have concern about a pension bill, but this is a bill that is needed and I urge our Members on this side to vote for it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Is there further discussion?

30

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

101st Legislative Day

April 13, 2000

Seeing none, the question is, shall House Bill 1583 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open.

Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 1583, having received the required constitutional majority, is declared passed. If there is no further business to come before the Senate, the Senate will -- or, Senator Weaver moves that the Senate stand adjourned until the hour of 10 a.m., Friday, April 14th. Senate is adjourned.

